

SN. 10/802,421

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REMARKS

Claims 1-14 are now pending in this application for which applicants seek reconsideration.

Amendment

Editorial changes to claims 1-7 and 10-12 have been made to improve their form and readability. New claims 13 and 14 have been added. Allowable claims 4 and 7 have been placed in independent form to place them in condition for allowance. Independent claims 1 and 12 have been further amended to incorporate portions of claims 4-7, namely further defining the front and rear side members. Also, since claims 1-11 recite a side member per se, vehicle components that are not part of the side member have been recited inferentially. In claim 12, the preamble has been defined as an automobile, and the vehicle components have been positively recited in the main body. No new matter has been introduced.

Allowable Claims

Claims 4 and 7-11 were indicated to be allowable if they are placed in independent form. In this respect, claims 4 and 7 have been placed in independent form. As presently amended, the last paragraph of claim 4 has been clarified by deleting the superfluous language "on the upper edge of a top outside wall extending upward from an upper flange." Applicants submit that claim 4 still remains in condition for allowance.

Art Rejection

Claims 1, 2, 5, and 12 were rejected under 35 U.S.C. § 102(b) as anticipated by Kijima (USP 5,125,715). Claims 1, 5, 6, and 12 were rejected under § 102(b) as anticipated by Fujii (USP 4,822,096). Finally, claims 1-3 and 12 were rejected under § 102(b) as anticipated by Eger (USP 4,469,368). Applicants submit that claims 1 and 12 define over these references as they would not have disclosed or taught the configuration of the front and rear side members.

Specifically, claims 1 and 12 now recite that the front side member includes an inner

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member having an upper front wall, a lower front wall, and an inside front wall, and an outer member having an outside front wall, substantially as set forth in original claims 4 and 5. These claims also recite that the rear side member includes an upper member having a bottom wall, an inside rear wall, and an outside rear wall, with the bottom wall joined to the lower front wall, the inside rear wall joined to the inside front wall, and the outside rear wall joined to the outside front wall in the vicinity of the dash plane, substantially as set forth in claim 6. Further, claims 1 and 12 further define that the inner member and the outer member form a first closed section, and that the upper member is adapted to form or forms a second closed section with the dash panel, with the first closed section continuously connecting to the second closed section.

As presently claimed, the upper member of the rear side member forms a second closed section with the dash panel, and the first closed section formed by the front side member continuously connects to the second closed section formed by the rear side member. Moreover, the upper front wall extends rearwardly beyond the dash plane so that a load from a head-on collision can be transmitted to the back side member. None of the applied reference would have disclosed or taught such a structure. In Kijima, its upper front wall stops at or before the dash plane. Kijima also does not have the first and second closed section that are continuously connected. Accordingly, Kijima would not have disclosed or taught the configuration of the front side member and the rear side member, in particular the way in which portions of the rear side member are joined to portions of the front side member, as set forth in claims 1 and 12. Fujii and Eger suffer similar deficiencies.

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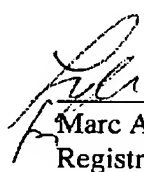
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Conclusion

Applicants submit that claims 1-14 patentably distinguish over the applied references and are in condition for allowance. Should the examiner have any issues concerning this reply or any other outstanding issues remaining in this application, applicants urge the examiner to contact the undersigned to expedite prosecution.

Respectfully submitted,

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